

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARINA CALOVE,
Plaintiff,

vs.

NATIONSTAR MORTGAGE, LLC,
Defendant.

Case No.: 2:14-cv-1329-JAD-NJK

**Order Denying Motion to Vacate
(Doc. 19)**

On October 17, 2014, I granted defendant Nationstar's motion to set aside the clerk's entry of default issued against it about a month earlier.¹ I found that there was good cause under Rule 55: having simply misunderstood when its answer to the complaint would be due, Nationstar had not engaged in any "culpable conduct"; nor, I concluded, would reopening the case, which was still in its infancy, cause any prejudice; and most importantly, Nationstar had several meritorious defenses to assert.²

Plaintiff Marina Calove, who is proceeding pro se, now requests that I vacate my order.³ But she does not offer any argument or legal authority that might suggest I improperly used my discretion in that order to set aside the default against Nationstar. Nor does she address the high standard she must meet to be granted the "extraordinary remedy"⁴ of reconsideration. Only three bases exist for reconsideration: newly discovered evidence, clear error, and an intervening change in the controlling

¹ See Docs. 8, 17.

² See Doc. 17 (applying the three factors consider when determining good cause under Rule 55); *see also Falk v. Allen*, 739 F.2d 461 (9th Cir. 1984) (identifying the three factors courts should consider when determining good cause under Rule 55).

³ See Doc. 19.

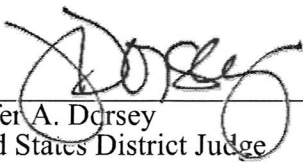
⁴ *Carroll v. Nakatani*, 342 F.2d 713, 715 (9th Cir. 2003).

1 law.⁵ Calove identifies none of these. I therefore deny her motion to vacate.

2 **Conclusion**

3 Accordingly, IT IS HEREBY ORDERED that Marina Calove's Motion to Vacate (**Doc. 19**)
4 is **DENIED**.

5 DATED June 26, 2015

6
7 
8 Jennifer A. Dorsey
United States District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

28

⁵ 389 *Orange Street Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir. 1999).